

## Message Text

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PAGE 01 STATE 092208  
ORIGIN EUR-12

INFO OCT-01 OES-07 ISO-00 /020 R

66011

DRAFTED BY:EUR/WE:JCUNNINGHAM

APPROVEDBY: EUR/WE:ROWELL

-----078058 110506Z /23

O 110134Z APR 78

FM SECSTATE WASHDC

INFO AMEMBASSY MADRID IMMEDIATE 2326

UNCLAS STATE 092208

E.O. 11652: N/A

TAGS: N/A

SUBJ: ENFORCEMENT REPORT/FIXED GEAR INCIDENT

FOLLOWING REPEATE USCOAST GUARD CUTTER VIGOROUS DTG 101679Z

DTD 10 APR 78

SENT ACTION COMLAN TAREA COGARD NYN INFO CCGDONE BOSTON,  
CCGDTHREE NY,HCCGDFIVE PORTSMOUTH VA, COMDT COGARD WASH DC.C.  
SECSTATE WASHDC, NMFS GLOUCESTER MA, USCGC VIGILANT,

QUOTE

UNCLAS

ENFORCEMENT REPORT

FIXED GEAR INCIDENT

A. STA CHATHAM 091920Z APR 78

1. SITUATION

A. 0816R BOARDING PARTY ABOARD SP FV COSTA DE NORUEGA. BEGAN  
INVESTIGATION

B. FOUND 16 UNMARKED LOBSTER TRAPS ABOARD. FROM LOGS AND  
FATHOMETER, ACTUAL HAULBACK WHICH RESULTED IN DISTURBANCE OF FIXED  
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PAGE 02 STATE 092208

GEAR OCCURED WHEN FFV IN POSIT 39-58.2N 69-37.0W  
BETWEEN 100-200 FATHOMS AT 090945Z APR 78. VSLs OWN FATHOMETER  
RECORDER SHOWED 110 FATHOMS. NMFS AGENT MURPHY ON BOARD WITNESSED  
READING AND IN FACT CONFISCATED RECORDER CHART.

C. ADDITIONAL INVESTIGATION SHOWS F/V COSTA DE NORUEGA HAS  
SINCE 6 APR 78 CONSISTENLY FISHED WITHIN 2 NM OF CG REPORTED  
FIXED GEAR AREA AND BETWEEN 100-200 FATHOMS. NMFS OBSERVER HAS

PERSONAL LOG RECORDS AND PHOTOGRAPHS INDICATING THAT HAULBACKS  
TAKEN IN THESE AREAS RESULTED IN THE REPORTED TAKING OF FIXED GEAR  
AS FOLLOWS

- 1) 6 APR 2 TRAPS NOT RPTD
- 2) 7 APR 1 TRAP NOT RPTD
- 3) 8 APR 1 TRAP NOT RPTD
- 4) 9 APR 12 TRAPS RPTD BY NMFS OBSERVER ON ALTAMAR

NMFS OBSERVER PERSONAL LOG INCLUDES NOTATION "CONTINENTAL SHELF  
FISH INC." FOR 8 APR HAULBACK. ALL BUT TWO TRAPS WERE IN WORKING ORDE  
R

D. AGENT MURPHY ADVISES THAT ON 9 APR COSTA DE NOREUGA PASSED  
BETWEEN HE SAID THE END BOUYED MARKERS OF A TRAP LINE, ONE END OF  
WHICH WAS CLEARLY MARKED WITH RADAR REFLECTOR.

E. COSTA DE NORUEGA ONLY COPIES FIXED GEAR BROADCASTS MON-FRI  
WEEKLY.

F. IN VIEW OF ABOVE EVIDENCE, VSL IN VIOLATION OF PARA  
611.11 AS AMENDED

G. FURTHER INVESTIGATION BY BOARDING PARTY REVEALS

1) NET IN USE AVERAGES ONLY 56 MM. VSL WAS GIVEN VIOLATION ON  
4 APR FOR USE OF NET AVERAGING ONLY 50 MM.

2) VSL OTHER CITATIONS AND VIOLATIONS SINCE ENTERING FCZ  
INCLUDE:

A) 13 MAR 78 - FAILURE TO NOTIFY COMMENCEMENT OF FISHING  
ACTIVITY

B) 13 MAR 78 - FAILURE TO PLOT FIXED GEAR

C) 4 APR FAILURE TO ACCURATELY LOG CATCH OF SQUID

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PAGE 03 STATE 092208

(3800 ICG ERROR). CORRECTED

D) 10 APR WILL BE CITED FOR FAILURE TO DISPLAY DAYSHAPES  
IN ADDITION TO ACTION CONTEMPLATED

2. ACTION TAKEN

A. 1045R DETAINED F/V COSTA DE NORUEGA MASTER GIVEN MIRANDA  
WARNING

B. CONTINUING INVESTIGATION

3. PLANS AND RECOMMENDATIONS

A. IN VIEW OF VSL'S PAST RECORD OF NON COMPLIANCE AND GROSS  
DISREGARD OF REGS PERTAINING TO OPERATING IN VICINITY OF  
FIXED GEAR. AND FOR USE OF IMPROPER MESH NET SIZE. RECOMMEND SEIZURE  
OF F/V COSTA DE NORIUGA. NMFS AGENT CONCURS.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SHIP DETENTION, FISHING BOATS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 11 apr 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Document Number:** 1978STATE092208  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** EUR/WE:JCUNNINGHAM  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Office:** ORIGIN EUR  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Review Exemptions:** n/a  
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**Review Release Event:** n/a  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ENFORCEMENT REPORT/FIXED GEAR INCIDENT FOLLOWING REPEATE USCOAST GUARD CUTTER VIGOROUS DTG 101679Z DTD 10 APR 78  
**TAGS:** EFIS, PBOR, US, SP  
**To:** MADRID  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
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